

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

PERRY LANHAM,)	
)	
Plaintiff,)	
)	
v.)	No. 23-cv-1020-SHM-tmp
)	
METROPOLITAN SHERIFF’S)	
DEPARTMENT NASHVILLE,)	
TENNESSEE, ET AL.,)	
)	
Defendants.)	

ORDER DENYING LEAVE TO PROCEED *IN FORMA PAUPERIS*
DISMISSING CASE WITHOUT PREJUDICE

On January 30, 2023, Plaintiff Perry Lanham, who was incarcerated at the Hardeman County Correctional Facility in Whiteville, Tennessee, filed a *pro se* complaint pursuant to 42 U.S.C. § 1983. (ECF No. 1.) However, Plaintiff failed to submit either the \$402 civil filing fee or an application to proceed *in forma pauperis*. Plaintiff did submit a copy of his trust account statement as required by 28 U.S.C. § 1914(a)-(b). (ECF No. 2.)

The Court issued an order on February 13, 2023, directing Plaintiff to submit the required information or pay the entire \$402 civil filing fee within 30 days. (ECF No. 4.) Plaintiff was warned that if he failed to comply with the order in a timely manner, the Court would “deny leave to proceed *in forma pauperis*, assess the entire \$402 filing fee from his trust account without regard to the installment payment procedures, and dismiss the action

without further notice for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b).”

The Court order was mailed to a change of address submitted by Plaintiff on March 1, 2023. (ECF No 5.) Plaintiff’s copy of the February 13, 2023, order was returned as “Not Deliverable, unable to forward” on March 14, 2023. (ECF No. 6.)

The most basic responsibility of a litigant is to keep the Court informed of his whereabouts. Therefore, as it appears Plaintiff has abandoned this action, the motion for leave to proceed *in forma pauperis* is DENIED, and this case is hereby DISMISSED without prejudice, pursuant to Federal Rule of Civil Procedure 41(b), for failure to prosecute.

IT IS SO ORDERED this 31st day of May, 2023.

/s/ Samuel H. Mays, Jr.
SAMUEL H. MAYS, JR.
UNITED STATES DISTRICT JUDGE